

REMARKS

Summary

This Amendment is responsive to the Office Action mailed on March 23, 2004 and the Advisory Action mailed on July 15, 2004. Claims 1 and 89 are amended herein. Claims 27-87 have been withdrawn from consideration in response to an election requirement. Claims 1-26, 88 and 89 are pending.

As a preliminary matter, Applicants' counsel would like to thank the Examiner for the courteous and productive telephone interview held on July 21, 2004. The independent claims are amended herein as discussed with the Examiner during the telephone interview in order to overcome the prior art of record.

In the final Office Action, the Examiner has required the cancellation of withdrawn claims 27-87. Applicants respectfully submit that claims 27-87 were withdrawn in response to an Election Requirement issued by the Examiner on August 11, 2003 in which the Examiner indicated that claims 1 and 89 were generic. Therefore, upon the allowance of claims 1 and 89, Applicants will be entitled to consideration of the additional species which are dependent thereon, including the species of claims 27-87. As Applicants believe that claims 1 and 89 as amended are allowable over the prior art, it is respectfully requested that the requirement to cancel claims 27-87 be withdrawn.

Claim 1 is objected to because the Examiner asserts that the phrase "the core system software" in line 9 of claim 1 should be deleted. The Examiner apparently assumes that this phrase is redundant with the same phrase appearing earlier in the claim at lines 8-9. Applicants

respectfully submit that this language is not redundant. Applicants' claimed software interface is an interface between (a) middleware and (b) the core system software. The middleware, as mentioned in paragraph (a), mediates between an application program and the core system software.

Claims 1, 88, and 89 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Evain, "The Multimedia Home Platform" EBU Technical Review, Spring 1998, pages 4-10 (Evain).

Claims 2-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Evain in view of Sambar, "PowerTV Operating System" Release 1.5, October 1998, pages 1-52 (Sambar).

Applicants respectfully traverse these rejections in view of the amended claims and the following comments.

Discussion of Amended Claims

Claims 1 and 89 are amended herein to specify that the software interface enables compatibility between the core system software and different middleware (See, e.g., Applicants' specification, page 1, lines 7-10; and page 2, line 32 through page 3, line 26).

The Examiner agreed during the July 21, 2004 telephone interview that such an amendment to claims 1 and 89 would overcome the Evain reference. In particular, the Examiner agreed that Evain does not disclose a software interface between the API (middleware) and the system software (core system software) which enables compatibility between the

core system software and different middleware, as claimed by Applicants.

Withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) is therefore respectfully requested.

**Conclusion**

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

  
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